

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

ELIZABETH TROIANI ,	*
Plaintiffs	*
	*
VS.	*
CITY OF SOMERVILLE , et al	C. A. NO 04-106939NMG
Defendants	*
	*
	*

MOTION TO ENFORCE SETTLEMENT AGREEMENT

This is a motion by plaintiff Elizabeth Troiani for an Order seeking enforcement of a Settlement Agreement executed between plaintiff, the City of Somerville and various city defendants. The Agreement was executed by the Plaintiff on January 19, 2006, but has yet to be executed by the City of Somerville.

The Settlement Agreement was entered into pursuant to a 60 day Order of this Court dated December 5, 2005 and further pursuant to a report from Chief United States Magistrate Judge Marianne B. Bowler, dated December 2, 2005.

In reliance upon the Order of the Court and the report of the Magistrate Judge counsel for the various parties including counsel for the City of Somerville, et al, as

well as all individual attorneys executed a Stipulation of Dismissal which was filed December 8, 2005.

Despite the execution of all appropriate documents and the entry of a 60 day Settlement Order the City of Somerville has refused, neglected or otherwise attempted to evade compliance with the terms of the Agreement.

As of the date of the filing of this motion plaintiff has yet to receive an executed copy of a Settlement Agreement on behalf of the City, executed by Mayor Joseph Curtatone. Neither the Mayor, nor the City Solicitor have provided executed copies to the plaintiff nor has the agreed Settlement amount been forth coming as agreed.

Wherefore, the Plaintiff respectfully requests that the City of Somerville be Ordered to forthwith execute the Agreement and that appropriate sanctions be imposed against the City of Somerville for its non-compliance.

Respectfully submitted,
Elizabeth Troiani
By her Attorney,

/s/ Michael C. Donahue
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